

**CITY OF MORGAN HILL
JOINT MEETING CITY COUNCIL SPECIAL & REGULAR MEETING
AND REDEVELOPMENT AGENCY SPECIAL MEETING
MINUTES - DECEMBER 5, 2001**

CALL TO ORDER

Mayor/Chairperson Kennedy called the special meeting to order at 6:45 p.m.

ROLL CALL ATTENDANCE

Present: Council/Agency Members Sellers and Tate and Mayor/Chairman Kennedy
Late: Council/Agency Members Carr and Chang

DECLARATION OF POSTING OF AGENDA

Deputy City Clerk/Deputy Agency Secretary Corbet certified that the meeting's agenda was duly noticed and posted in accordance with Government Code 54954.2.

City Council Action

CLOSED SESSIONS:

1.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant Exposure/Initiation of Litigation

Authority: Government Code Section 54956.9(b) & (c)

Number of Potential Cases: 2

City Council and Redevelopment Agency Action

2.

CONFERENCE WITH LEGAL COUNSEL - POTENTIAL AND EXISTING LITIGATION:

CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Legal Authority: Government Code 54956.8 & 54956.9(a) & (c) (1 potential case)

Real Property(ies) involved: APN 728-31-007 & 008; 25.50 acres located on the southwesterly side of
Cochrane Road (St. Louise Hospital property)

City Negotiators: Agency Members; Executive Director; Agency Counsel; F. Gale Conner,
special counsel; Rutan & Tucker, special counsel

Case Name: San Jose Christian College v. City of Morgan Hill

Case Numbers: Santa Clara County Superior, No. CV 799179; USDC Northern California No.
C01-20857 RMW

Closed Session Topic: Potential Existing Litigation/Real Estate Negotiations

3.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority:	Government Code section 54956.9(a)
Name of Case:	Hacienda Valley Mobile Estates v. City of Morgan Hill et al.
Case No :	C 01-20976 PVT, United States District Court, Northern District of California
Attendees:	City Council, City Manager, City Attorney

OPPORTUNITY FOR PUBLIC COMMENT

Mayor/Chairman Kennedy opened the Closed Session items to public comment. No comments were offered.

ADJOURN TO CLOSED SESSION:

Mayor/Chairman Kennedy adjourned the meeting to closed session at 6:56 p.m.

RECONVENE:

Mayor/Chairman Kennedy reconvened the meeting at 7:05 p.m.

CLOSED SESSION ANNOUNCEMENT:

City Attorney/Agency Counsel Leichter announced there was no reportable action taken on Closed Session items 2 and 3 and indicated that Closed Session would resume on item 1 following the regular agenda.

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

At the invitation of Mayor Kennedy, Bill Brown, Chairman of the Morgan Hill Community Health Care Task Force, led the Pledge of Allegiance.

PROCLAMATION

Mayor Kennedy greeted and presented a Proclamation to American Association of University Women (AAUW) members Laura Brunton, Evelyn Kobayaski, Shirley Asplund, Sara Dunlop, Carolyn Williamson, Carol O'Hare, Joan Enfign, Carol Holzgrafe, and Council Member Chang. He recognized the Organizations' efforts in promoting equality for all women and girls, and for its lifelong education and positive societal change. It was noted that the Morgan Hill branch of AAUW was chartered in 1981, currently has about 100 members and raise thousands of dollars annually for educational foundations and scholarships, which offer fun and fellowship for members through a variety of programs and interest groups.

INTRODUCTIONS

Introduction of Jerry Galvin, *Police Chief*, was deferred to December 12, 2001.

RECOGNITION

Mayor Kennedy presented Chief of Police Schwab a certificate of recognition; the Chief was recognized by the Administration and Department Heads for an outstanding job. Chief Schwab thanked the City Council, administration, and City residents for their support during his tenure.

CITY COUNCIL REPORT

Council Member Chang reported on attendance at the South County Regional Waste Water Committee, noting the plans the group is developing appear to present a viable alternative to sewage treatment plants.

CITY MANAGER'S REPORT

City Manager Tewes deferred his report to a future time.

CITY ATTORNEY'S REPORT

City Attorney Leichter deferred her report to a future time.

OTHER REPORTS

Mayor Kennedy announced that the City has received an award from the Housing Trust of Santa Clara Valley for providing assistance with funding for affordable housing. He also called attention to the Community Holiday Concert to be presented Friday, December 6 at Saint Catherine's Church.

PUBLIC COMMENT

Cheryl Galindo, 116 Winstead Court, San Jose, and Tamara Pike, 28 Via Mesa, San Jose, requested assistance and support in dealing with issues at an area elementary school. Having heard their dilemmas, Mayor Kennedy advised Ms. Galindo and Ms. Pike that while the Council could not deal directly with the problem indicated, Council Members Carr and Chang were former School Board members and could provide some insights into working within the school system. Both Council Members Carr and Chang indicated willingness to discuss the matter, and agreed to meet with these ladies during the break time.

City Council Action

OTHER BUSINESS:

1) HEALTH SERVICES PLAN

City Manager Tewes indicated that Bill Brown, Chairman of the Community Health Foundation, would

address the Council with recommendations from the Foundation members. Mr. Brown said the Community Health Foundation had spent considerable time working on the issue, and that a “lot of progress has been made since the Foundation’s last report to the Council.”

Mayor Kennedy provided a brief overview of the charge given to the Foundation, as formed and directed by the Council.

Mr. Brown introduced John Ray, Executive Director of the Foundation, who presented the business plan the Foundation had formulated, indicating the Foundation and Daughters of Charity propose to work together to develop a health service plan for the Morgan Hill Area. He indicated that the Daughters of Charity will soon regain operational control of Saint Louise Regional Hospital in Gilroy and will assume Catholic Healthcare West’s obligations and responsibilities for the former Saint Louise campus in Morgan Hill. The Foundation and the Daughters of Charity have been working together on the business plan which is consistent with the Council’s Medical Services Objectives.

Mr. Brown stated that it is the Foundation members belief that the collaborative initiative with the Daughters of Charity offers a real potential of meeting the Policy Objectives adopted by the City Council on April 5, 2000. He requested Council acknowledge the importance to the community of the joint planning process, and allow it to proceed before taking any further steps toward acquisition of the former St. Louise campus.

Robert Issai, fiscal representative of the Daughters of Charity Healthcare, offered to answer questions of the City Council. Potential dates for implementation of the plan for healthcare provision were discussed.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Actions: *On a motion by Mayor Pro Tempore Sellers and seconded by Council Member Carr, the City Council unanimously (5-0): 1) **Considered** a Proposal from the Morgan Hill Community Health Foundation and Daughters of Charity Health System; and 2) **Reaffirmed** the Work of the Foundation and the Plans to Proceed as Indicated in the Report.*

City Council Action

CONSENT CALENDAR:

Action: *On a motion by Mayor Pro Tempore Sellers and seconded by Council Member Tate, the City Council unanimously (5-0) **Approved** Consent Calendar Items 1-11, as follows:*

2) **RESOLUTION AMENDING THE RECORDS RETENTION SCHEDULE FOR CITY OF MORGAN HILL - Resolution No. 5535**

Action: **Adopted** Resolution No. 5535, Amending the City’s Record Retention Schedule.

3) **CONSULTANT AGREEMENT FOR PERSONNEL SERVICES**

Action: **Authorized** the City Manager to Execute a Consultant Services Agreement for Personnel Services at a Cost Not-To-Exceed \$45,000.

- 4) **EXTENSION OF TIME APPLICATION, EOT-99-04: CHRISTEPH-KOSICH - Resolution No. 5541**
*Action: **Adopted** Resolution No. 5541, Approving an 18-Month Extension of Time to June 30, 2003.*
- 5) **RESIDENTIAL DEVELOPMENT CONTROL SYSTEM (RDCS) 2001, QUARTERLY REPORT NO. 4**
*Action: **Accepted** the Report by Minute Action*
- 6) **ACCEPTANCE OF THE CONSTRUCTION OF DUNNE AVENUE/HIGHWAY 101 INTERCHANGE IMPROVEMENTS PROJECT, EXCLUDING THREE YEAR LANDSCAPE MAINTENANCE PERIOD**
*Actions: 1) **Accepted** as Complete the Construction of the Dunne Avenue/Highway 101 Interchange Improvements Project; Excluding the Three Year Landscape Maintenance Period; in the Final Amount of \$3,686,932; and 2) **Directed** the City Clerk to File the Notice of Completion with the County Recorder's Office.*
- 7) **ACCEPTANCE OF SUBDIVISION IMPROVEMENTS FOR TRACT 9255, MORGAN MEADOWS PHASE II - Resolution No. 5542**
*Actions: 1) **Adopted** Resolution No. 5542 Accepting the Subdivision Improvements for Tract 9255, Commonly Known as Morgan Meadows Phase II; and 2) **Directed** the City Clerk to File the Notice of Completion with the County Recorder's Office.*
- 8) **REIMBURSEMENT TO MORGAN MEADOWS ASSOCIATES LLC FOR UNDERGROUNDING OVERHEAD UTILITIES**
*Action: **Authorized** Reimbursement of \$103,616 for Undergrounding of Overhead Utilities to Morgan Meadows Associates LLC from CIP Project #529001.*
- 9) **AMEND PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF COSMO/MONTEREY ROAD SANITARY SEWER RELOCATION PROJECT**
*Action: **Approved** the Additional Scope of Work from Harrison Engineering in the Amount of \$33,300 and **Authorized** the City Manager to Amend the Existing Professional Services Agreement for Design Services for the Cosmo/Monterey Road Sanitary Sewer Relocation Project. The Total Amended Professional Services Agreement Shall Not Exceed \$53,020.*
- 10) **ACCEPTANCE OF FY 2001-02 WORKPLAN UPDATE**
*Action: **Accepted** FY 2001-02 Workplan Update Report.*
- 11) **APPROVE SPECIAL CITY COUNCIL MEETING MINUTES FOR NOVEMBER 26, 2001**
*Action: **Approved** the Minutes as written.*

City Council & Redevelopment Agency Action

Action: _____ On a motion by Mayor Pro Tempore/Agency Member Sellers and seconded by

*Council/Agency Member Tate, the City Council/Agency Commission unanimously (5-0) **Approved** Consent Calendar Item 12, as follows:*

12) LEASE/PURCHASE OF PROPERTY AT 1250 BARRETT AVENUE

Action(s): 1) **Authorized** the Executive Director/City Manager to Execute a 10-year Ground Lease and Option to Purchase Agreement and Any Other Related Documents with Virginia Lomanto, the Owner of 8.7 Acres at 1250 Barrett Avenue (APN 817-13-017, Lot 28); and 2) **Authorized** the Executive Director/City Manager to Do Everything Necessary and Appropriate to Implement the Ground Lease Agreement Including Making Annual Payments and, When Appropriate, Exercising the Lease Extension or Option to Purchase the Property for \$1,610,000 plus Closing Escrow Costs.

City Council Action

PUBLIC HEARINGS:

13) DEVELOPMENT AGREEMENT AMENDMENT, DAA-99-04: EAST DUNNE-MORGAN MEADOWS - Ordinance No. 1534, New Series

Council Member Chang stepped down from discussion of this item due to a conflict of interest.

Community Development Director Bischoff presented the staff report, noting that this is a request for approval to amend paragraph 14 (l)(iv) of the Morgan Meadows development agreement, regarding the below market rate (BMR) units. The purpose of the change is to make the Morgan Meadows BMR units consistent with the BMR units within the adjacent Trovare project. Both projects are under the same ownership, and the builder would like to market Morgan Meadows and Trovare as one project, "Terra Bella." Mr. Bischoff also called attention to the square footage of the duet units, saying that the BMR square footage ranged from 1,420 to 1,450 as proposed in Measure P, but these units are actually over 1,600 square feet. The request this evening defines a list modifying the development agreement to include a list of amenities to be standard in the BMRs. The matter was heard by the Planning Commission on October 9, 2000, and was approved 6-0 with one Commissioner abstaining.

Mayor Kennedy opened the public hearing. Bruce Meyers, a local realtor, stated he was representing the applicant and urged the Council to concur with the decision of the Planning Commission. No further comments being offered, the public hearing was closed.

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council, on a 4-0-1 with Council Member Chang abstaining, **Waived** the Reading in Full of the Development Agreement Amendment Ordinance No. 1534, New Series.*

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Introduced** Ordinance No. 1534, New Series, by Title Only as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING DEVELOPMENT AGREEMENT AMENDMENT APPLICATION DAA-99-04 FOR*

MEASURE P PROJECT MP-98-24: EAST DUNNE - O'CONNELL by the following roll call vote: AYES: Carr, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: Chang; ABSENT: None,

Council Member Chang resumed her seat at the dias.

14) RESOLUTION AUTHORIZING THE SANTA CLARA COUNTY FIRE MARSHAL TO ABATE WEEDS - Resolution No. 5540

Assistant to the City Manager Melissa Dile presented the staff report and indicated Marty Hicks, representing the County Fire Marshal's Office, was present.

Council Members discussed with Mr. Hicks the potential effects of changing the current language of retaining the notices for two years to three years. Mr. Hicks stated it was primarily a record-keeping item, and that the responsibilities of the property owner would not be lessened. It was noted that many of the problem areas were along the railroad tracks, with the secondary lines and spurs creating the bulk of the problems. Council Members also asked Mr. Hicks to comment on the suspension of herbicide applications, to which he responded.

Mayor Kennedy opened the public hearing. No comments being offered, the public hearing was closed.

Action: *On a motion by Mayor Pro Tempore Sellers and seconded by Council Member Tate, the City Council unanimously (5-0) **Adopted** Resolution No. 5540, Authorizing the Santa Clara County Fire Marshal to Abate Weeds.*

15) URBAN SERVICE AREA APPLICATION: USA 01-06, GENERAL PLAN AMENDMENT APPLICATION: GPA 01-06, ANNEXATION APPLICATION ANX: 01-05 & ZONING AMENDMENT ZA 01-17: CONDIT-CITY OF MORGAN HILL - Resolution Nos. 5543, 5544, & 5545 and Ordinance No. 1541, New Series

Director of Community Development Bischoff presented the staff report and stated that the Redevelopment Agency recently purchased the 35-acre soccer complex site located on the west side of Murphy Avenue, east of Condit Road, between San Pedro and Barrett Avenues. The property is located adjacent to, but outside of, the City limits and Urban Service Area. It is the intent of the City to develop the site for use as a sports complex. In order to facilitate development of the property, the City is proposing to include the property within the City limits.

Mayor Kennedy opened the public hearing. No comments being offered, the public hearing was closed.

Council Member Tate emphasized the intent of the Council is to establish a sports complex on the site, not just a regional soccer complex.

Action: *On a motion by Council Member Tate and seconded by Council Member Carr the City Council unanimously (5-0) **Adopted** Resolution No. 5543, Approving Application GPA-01-*

06.

Action: *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council unanimously (5-0) **Adopted** Resolution No. 5544, Approving Application USA-01-06, amending the Resolution to eliminate reference to “regional” recreational facilities while emphasizing the sports activity capability to local residents.*

Action: *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council unanimously (5-0) **Waived** the Reading in Full of the Zoning Amendment Ordinance No. 1541, New Series.*

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Introduced** Ordinance No. 1541, New Series by Title Only as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL PREZONING 35 ACRES LOCATED ON THE EAST SIDE OF CONDIT ROAD, WEST OF MURPHY AVENUE, BETWEEN SAN PEDRO AVENUE AND BARRETT AVENUE FROM COUNTY A-20 AC TO PUBLIC FACILITY (APN 817-13-001) by the following roll call vote: AYES: Carr, Chang, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: None; ABSENT: None.*

Action: *On a motion by Council Member Tate and seconded by Council Member Carr, the City Council unanimously (5-0) **Adopted** Resolution No. 5545, Approving Application ANX-01-05.*

16) EXCEPTION OF LOSS OF BUILDING ALLOCATION, DAA-00-12: EAST DUNNE-GREWEL Ordinance No. 1542, New Series

Council Member Chang stepped down from discussion of this item due to a conflict of interest.

Director of Community Development Bischoff presented the staff report.

Mayor Kennedy opened the public hearing. Hans Mulberg, Survey Construction Staking Co., informed the City Council that he is the engineer/architect for the project. He indicated a misunderstanding has caused the delay in submittals required for commencement of the project. Mr. Bischoff explained the process, urging the applicant to review his documents to proceed properly for the details of the RPD and common area. No further comments being offered, the public hearing was closed.

Responding to questions, Mr. Bischoff said the Planning Commission recommendation had not been unanimous, and that members of that body expressed concern that there seemed to be “a pattern of coming back for second chances” when the applicant had not fully complied with the rules as originally stated. Council Members agreed this was of concern.

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council unanimously (5-0) **Waived** the Reading in Full of the Development Agreement*

Amendment Ordinance No. 1542, New Series.

Action: *On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council unanimously (5-0) **Introduced** Ordinance No. 1542, New Series by Title Only as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A SIX-MONTH EXCEPTION TO THE LOSS OF BUILDING ALLOTMENT FOR ONE UNIT OF A 4-LOT SUBDIVISION WHICH WAS AWARDED ALLOCATIONS THROUGH THE RESIDENTIAL DEVELOPMENT CONTROL SYSTEM FOR FY 2000-2001 (ONE UNIT) AND FY 2001-2002 (THREE UNITS) (APN 728-11-026) by the following roll call vote: AYES: Carr, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: Chang; ABSENT: None.*

Council Member Chang resumed her seat at the dias.

17) NEW CITY LOGO

Assistant to the City Manager Tony Eulo presented the staff report. The current City budget has allocation for the development of a new City logo; the workplan adopted by the Council also makes provision for this. Council Member Sellers was appointed by the Council to serve on the City's Logo Task Force. That Task Force met recently to review the proposals from several potential vendors and chose EM Design as the City's vendor. The Task force then developed an image statement for the City and participated in a logo branding survey with the consultant. The Task Force then gave direction for development of draft logos that both represent the City's image statement and will be practical to apply to City property. Assistant to the City Manager Eulo indicated three logos ranked in order of priority preference by the Task Force members. He emphasized the sense of urgency in decision due to the prominent role the new logo will play in the design of the City's new website.

Mayor Pro Tempore Sellers concurred with the staff report and explained the process under which the Task Force worked.

Council Members engaged in extensive discussion regarding the matter. While the Council Members agreed the work of the Task Force had been well done, there was considerable concern regarding the time frame and potential costs of changing the logo on City properties, including letterhead stationary, etc. Mr. Eulo stated there would not be immediate expense, noting that property items would be changed only when the current use was finished. Council Members suggested: 1) different color combinations, 2) more public involvement might be proper, and 3) the need to proceed more slowly. During the discussion, City Manager Tewes indicated the web site could be established with change made as required in the future. The City Manager also stressed the work of the logo is to provide a distinct image of the City.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Action: *By Consensus, the City Council directed staff to return at the next meeting with different reiterations of the logo, recommended by the Task Force.*

18) APPROVAL OF CONTRACT FOR CONSULTANT SERVICES FOR CREATION OF GATEWAY GUIDELINES UPDATE OF THE DESIGN REVIEW ORDINANCE AND ARCHITECTURAL HANDBOOK

Community Development Director David Bischoff presented the staff report and indicated that the current fiscal year budget includes funding for the update of the City's Design Review Ordinance, Architectural Review Handbook and the establishment of Design Guidelines for the gateway areas within the City. He stated that the original Design Review Ordinance was adopted in 1980, with the Architectural Review Handbook being adopted in 1989. The purpose of these documents is to set minimum standards for architecture, site planning and landscaping. He provided a description of the work required of the Planning Division in updating the Ordinance, Handbook and the development of Gateway Guidelines. He also furnished information on the history and current organization of the Architectural and Site Review Board.

Council Members inquired about the method the Consultant would use for identifying projects which might need to have attention to the new design plan and whether staff might be able to accomplish the plan rather than a consulting firm. Mr. Bischoff responded that his staff does not have the expertise to take on this charge.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Action: *On a motion by Mayor Pro Tempore Sellers and seconded by Council Member Tate, the City Council unanimously (5-0) **Authorized** the City Manager to Execute a Consultant Services Agreement with the Final Form as Approved by the City Attorney, for Contract Consultant Services with RRM Design Group at a Cost Not to Exceed \$50,000.*

19) CITY OF GILROY DRAFT GENERAL PLAN

Director of Community Development Bischoff presented the staff report. He noted the main issues of concern were the proposal for Santa Teresa Road to become a four-lane expressway, thereby potentially channeling traffic into Morgan Hill. This would be in direct conflict with the City's aim of keeping traffic off the City streets. He indicated that it is unclear what the City of Gilroy plans for Buena Vista Street.

Mayor Kennedy opened the floor to public comment. No comments were offered.

Council Members discussed with Mr. Bischoff the status of the South County Joint Planning Committee which has the responsibility for looking at issues which affect newly formulated General Plans for the Cities in the area, including potential impacts on other entities.

Council Member Carr, who is the City's representative to the South County Joint Planning Committee, said the Committee needs to be "re-energized." He suggested that he and planning staff review the South County Planning guidelines, formulate a letter to Gilroy City officials and South County Planning Committee staff expressing the City's concerns regarding traffic and circulation in light of the proposed plan.

Mayor Kennedy proposed a letter be sent to Santa Clara County Supervisor Don Gage who chairs the Committee requesting a meeting be scheduled very soon. He also expressed concern that the number of jobs in the Gilroy's Draft General plan would increase from 24,000 to 57,000, while the increase in the number of housing units is only 10,000, clearly indicating there will be a need for surrounding communities to provide housing for workers.

Action: By consensus, the City Council **Directed** staff to prepare a letter to be presented to the South County Planning Committee.

SECOND READING OF ORDINANCE:

20) ADOPTED ORDINANCE NO. 1535 NEW SERIES

Action: On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Adopted** Ordinance No. 1535, New Series as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING OF A DEVELOPMENT AGREEMENT, DA-01-07 FOR APPLICATION MP 00-12: MISSION VIEW-DIVIDEND (APNS 728-32-001, 002, 003 & 728-33-001), as amended, by the following roll call vote: AYES: Carr, Chang, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

21) ADOPTED ORDINANCE NO. 1536 NEW SERIES

Action: On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Adopted** Ordinance No. 1536, New Series as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING OF A DEVELOPMENT AGREEMENT, DA-01-06 FOR APPLICATION MP 00-22: COCHRANE -DIVIDEND (APNs 728-34-003; 728-32-001, 002, 003; AND 728-35-008, 009, 010) by the following roll call vote: AYES: Carr, Chang, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

22) ADOPTED ORDINANCE NO. 1537 NEW SERIES AND ORDINANCE NO. 1538, NEW SERIES

ORDINANCE NO. 1537, NEW SERIES

Action: On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Adopted** Ordinance No. 1537, New Series as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A ZONING AMENDMENT TO ESTABLISH A PRECISE DEVELOPMENT PLAN FOR A 41-UNIT SINGLE-FAMILY PROJECT ON AN 18-ACRE SITE LOCATED ALONG THE NORTH AND SOUTH SIDES OF EAST CENTRAL AVENUE - EAST OF BUTTERFIELD AND WEST OF SERENE DRIVE. (APN 726-28-001, 726-28-002, AND 726-20-003) by the following roll call vote: AYES: Carr, Chang, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

ORDINANCE NO. 1538, NEW SERIES

Action: On a motion by Council Member Tate and seconded by Mayor Pro Tempore Sellers, the City Council **Adopted** Ordinance No. 1538, New Series as follows: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORGAN HILL APPROVING A DEVELOPMENT AGREEMENT

APPLICATION DA 01-03 FOR APPLICATION MP 00-12: CENTRAL - WARMINGTON (APNs 726-28-001, 002 & 728-20-003) by the following roll call vote: AYES: Carr, Chang, Kennedy, Sellers, Tate; NOES: None; ABSTAIN: None; ABSENT: None.

City Council & Redevelopment Agency Action

OTHER BUSINESS:

23) WORKSHOP ON REDEVELOPMENT AGENCY (RDA) PRIORITIES

City Manager/Executive Director Tewes presented the staff report, citing potential difficulty in dates and times previously set for the meeting on January 30, 2002. He indicated the master plan process for the sports and aquatics complex is underway with an expectation that budget estimates would be provided for various phases and project scope. This information, City Manager/Executive Director Tewes explained, will not be available until the latter part of January, but may be of interest to the City Council/Redevelopment Agency in establishing priorities.

Action: *By consensus, the City Council/Agency Commission **Confirmed** the date of January 30, 2002 beginning at 5:00 p.m. to Conduct a Workshop on RDA Priorities.*

FUTURE COUNCIL-INITIATED AGENDA ITEMS

No items were identified.

RECONVENE TO CLOSED SESSION

Mayor/Chairman Kennedy adjourned the meeting to closed session at 9:45 p.m.

RECONVENE

Mayor/Chairman Kennedy reconvened the meeting at 10:00 p.m.

CLOSED SESSION ANNOUNCEMENT

City Attorney/Agency Counsel Leichter announced no reportable action resulted from the closed session.

ADJOURNMENT

There being no further business, Mayor/Chairman Kennedy adjourned the meeting at 10:01 p.m.

MINUTES RECORDED AND PREPARED BY:

/s/ Judi Johnson

JUDI JOHNSON, MINUTES CLERK